

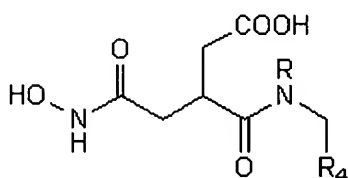
Remarks/Arguments

A. Status of the Claims

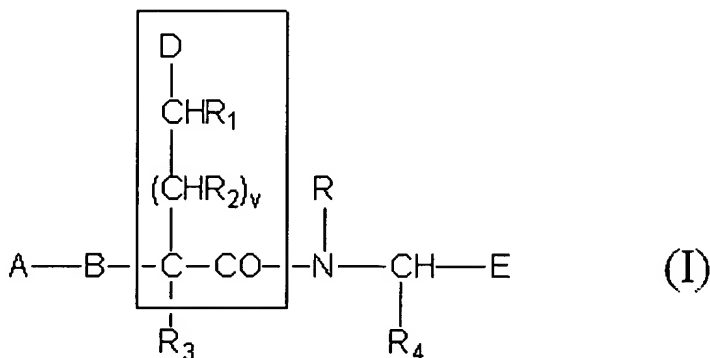
Claims 1-33 were pending when the Office Action dated October 3, 2005, was mailed to Applicants. Claims 1, 16-17, and 19-20 are amended, claims 2-6, 9, 12-15, and 21-33 are canceled, and claims 34-49 are added. Support for the amendment can be found throughout the specification and claims as originally filed. Therefore, claims 1, 7-8, 10-11, 16-20, and 34-49 are currently pending.

B. Summary of Examiner Interview

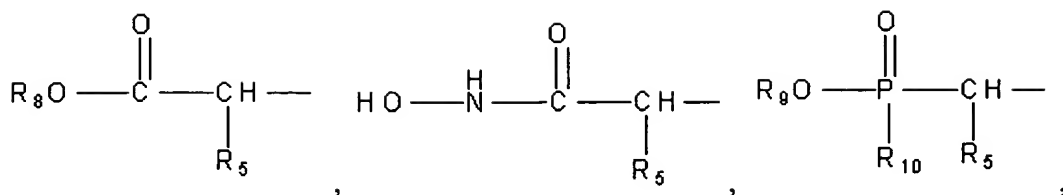
Applicants' representative, Michael Krawzsenek, and Examiner Solola discussed this case by telephone on November 1, 2005. During the telephone conversation, Examiner Solola confirmed that Applicants' selected invention (formula below) is allowable over the cited art:



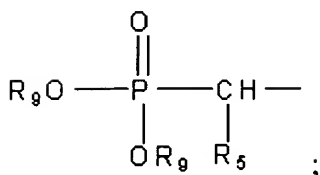
The Examiner also confirmed that an additional search was performed (see pages 2-3 of the Office Action) and that the following additional subject matter based on generic Formula (I) is allowable over the cited art:



where A is



or



where E, R, R₁, R₃-R₅, and R₈-R₁₀, are as defined in pending claim 1,

where D is -COOH;

where B is absent; and

where v is 0.

If this interview summary is inaccurate in any way, Applicants request that the Examiner inform Applicants as soon as reasonably possible.

C. The Indefiniteness Rejection Is Overcome

Claims 1-20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner contends that the term “comprising” in claim 1 is indefinite because it is open-ended and “cannot be used to describe a compound.” Applicants disagree. A person of skill in the art would understand what is claimed when the claim is read in light of the specification. MPEP § 2173.02. However, to further the prosecution and to obtain commercially relevant claims at this time, Applicants note that claim 1 has been amended as suggested by the Examiner. Therefore, this rejection is rendered moot and should be withdrawn.

Dependent claims 16 and 19-20 are also rejected for indefiniteness. Applicants note that these claims have been amended as suggested by the Examiner. Therefore, these additional rejections are also rendered moot and should be withdrawn.

D. The Anticipation and Obviousness Rejections Are Overcome

Claims 1, 10-14, 16, and 18-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ondetti *et al.* Claims 1 and 16 are further rejected as being anticipated by Ovens *et al.* Dependent claims 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ovens *et al.*

Applicants disagree. Claims 1, 10-14, 16, and 18-20 are not anticipated or rendered obvious over the cited references prior to the amendments made in the above section. However, to further the prosecution and to obtain commercially relevant claims at this time, Applicants have amended the claims to be directed to the allowed subject matter. Applicants reserve the right to prosecute any unclaimed subject matter in a continuing application.

In view of the above, Applicants submit that the anticipation and obviousness rejections are rendered moot and should be withdrawn.

E. Conclusion

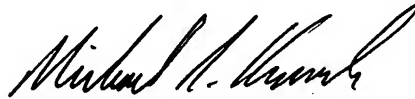
Applicants believe that the present document is a full and complete response to the Office Action dated October 3, 2005. The present case is in condition for allowance, and such favorable action is requested.

Petition for a One-Month Extension of Time

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of one month to and including February 3, 2005, in which to respond to the Office Action dated October 3, 2005. A check in the amount of \$60.00 is enclosed, which is the process fee for a one-month extension of time for a small entity status. If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/GOUD:045US.

The Examiner is invited to contact the undersigned Attorney at (512) 536-3020 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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